

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GLAZIERS, ARCHITECTURAL METAL)
AND GLASS WORKERS LOCAL)
UNION NO. 27 WELFARE AND)
PENSION FUNDS,) NO. 12 C 5967
)
PLAINTIFFS,) JUDGE SHADUR
)
V.) MAGISTRATE JUDGE SCHENKIER
)
PINTO GLASS & MIRROR COMPANY, INC.,)
an Illinois corporation,)
)
DEFENDANT.)

MOTION FOR JUDGMENT

NOW COME the Plaintiffs, by and through their attorneys, and, in their Motion for Judgment, state as follows:

1. Plaintiffs filed their Complaint seeking an order compelling Defendant to submit to an ERISA fringe benefit contributions audit on July 30, 2012.
2. Subsequently, Defendant partially submitted to audit on a voluntary basis, and Plaintiffs obtained those records Defendant could not produce from a third-party via subpoena.
3. According to the affidavit of Richard J. Wolf (Ex. A), Plaintiffs' auditor, Defendant is in arrears to the Plaintiffs in the following amounts, for the period October 1, 2011 through September 21, 2012:
 - a. \$11,769.00 in Pension Fund contributions;
 - b. \$17,771.00 in Welfare Fund contributions;
 - c. \$1,035.35 in Apprenticeship Fund contributions;
 - d. \$225.08 in S.T.A.R. contributions;
 - e. \$75.03 in Safety Fund contributions;

- f. \$75.03 Local Political Committee contributions;
- g. \$1,404.13 in Union dues;
- h. \$4,853.19 in liquidated damages permitted under Defendant's Collective Bargaining Agreement and the Funds' Trust Agreements;
- i. \$4,610.07 in late fees/liquidated damages preceding the audit;
- j. \$540.00 in audit costs attributable to Defendant under Defendant's Collective Bargaining Agreement and the Funds' Trust Agreements;

4. According to the affidavit of Andrew S. Pigott (Ex. B), one of Plaintiffs' counsel, the Plaintiff Funds have incurred \$8,775.00 in attorneys' fees and costs in prosecuting this matter.

WHEREFORE, for all the foregoing reasons, Plaintiffs ask this Court to enter the Order attached to this Motion as Exhibit C.

Respectfully submitted,

GLAZIERS, ARCHITECTURAL
METAL AND GLASS WORKERS
LOCAL UNION NO. 27 WELFARE
AND PENSION FUNDS

By: s/ Andrew S. Pigott
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